

# JAIL LEVY BAN LIFTED

## INJUNCTION IS DISSOLVED BY MUTUAL ASSENT

### Warrant Issued by County Clerk for Delayed Tax Collection

Following an agreement reached by stipulation between attorneys for the county court and Frank Ward, petitioner for the injunction restraining the county court from collecting a \$15,000 levy for a jail in the Hot Springs court house, Saturday night, Judge C. F. Stone permitted by the stipulation to take action, dissolved the injunction as it affects the jail levy, and County Clerk DeLap issued a warrant for the collection of taxes, delayed since February 15. The warrant was turned over to the assessor, whose duty it is to deliver it with the tax rolls to the tax collector.

Following is the text of the stipulation, filed in the circuit court, and signed by attorneys for the respective parties:

"It is hereby stipulated between the respective parties in the above entitled suit:

"1—That the injunction heretofore issued in said suit, in so far as same might involve collection of the levy of \$15,000 included in the current budget and levy of said county, for the purpose of completing a jail in the building on block 10, Hot Springs addition to Klamath Falls, be dissolved by said court as of this date.

"2—That the sheriff of said county collect said sum and turn said amount over to the treasurer of said county where same shall be kept inviolate pending the decision of the above entitled case on its merits, by said court or the supreme court of the state, should same be appealed.

"3—That should said decision permit the county court to expend said sum on said building on block 10, then such sum shall be available for such purpose.

"4—But in the event that it should be decided by the above entitled court, or the supreme court of the state of Oregon in case of an appeal that said sum should not be expended on said court house building on block 10, then said sum, or so much thereof as may be necessary, shall be expended in equipment and installation of proper jail facilities in the recently constructed court house on block 25 in the city of Klamath Falls.

"5—It is further agreed and understood that this stipulation shall in no wise affect, change, or jeopardize the interest or interests of either party to said suit, and it is understood that said defendants intend to and will expend said sum of money for which said levy was made unless enjoined by said court or the supreme court.

"6—That in all respects, except the collection of said sums of \$15,000, said injunction in said suit shall remain in full force and effect.

"7—It is also stipulated and agreed that the disqualification of the present presiding judge of this court be waived and that he enter the order modifying said injunction in accordance with the foregoing stipulation.

"8—That the clerk of Klamath county be authorized and permitted to issue warrant for said taxes."

### MILLER HILL MEETING TO DISCUSS COUNTY UNIT PLAN

The county unit plan for school government will be discussed tonight at a community meeting at the Miller Hill school house. City Superintendent J. P. Wells will be the chief speaker. This meeting is one of a series that is being held throughout the county for discussion of the county unit plan.

### SUB CHASERS USED TO SMUGGLE LIQUOR FROM BERMUDA IS CAPTURED

NEW YORK, April 24.—A bootlegging scheme whereby liquor smuggled into this country from Bermuda and Cuba on former submarine chasers, commanded by officers wearing uniforms of the United States navy, has been unearthed. Former sub chaser 101, renamed the Fidsys, has been seized with the commander and a crew of seven, the customs officers announced today.

### ANTI-ALIEN LAND LAWS CONSIDERED BY FIVE STATES

#### Movement Supplemental to Campaign Being Conducted to Gape New Immigration Treaties

SAN FRANCISCO, April 24.—Five states in the middle west are preparing to enact anti-alien land laws to add to those of the Pacific coast states which have adopted such laws in the past decade, according to information reaching the office of State Attorney General U. S. Webb. The five states are the Dakotas, Nebraska, Texas and New Mexico, Webb was informed.

The movement against aliens holding agricultural lands in these states comes as a supplement to the campaign being conducted by many of the states west of the Mississippi river to induce congress to enter into new treaties with Asiatic nations further restricting immigration. The representatives of these states have banded together in Washington for the purpose of having the way officially paved for such treaties, and when assured of enough cohesion and interest in the states from which they come, are expected to act.

The treaties are sought by California for the purpose of lending greater force and effect to the state's statutes, Webb said. They would not have the effect in any way of abrogating or even suspending the present alien land laws, but such laws would serve as enabling acts for the treaties.

Two United States district court decisions affecting the California alien land acts are up before the United States supreme court for final decision, and will, in present expectations, be considered during the October term of that court. One decision relates to the leasing feature of the laws and is favorable to the state. The other permits the Japanese to enter into crop contracts and is held by Webb to have a tendency to weaken the statutes.

### OLD PIONEER PASSES

#### O. H. Harshbarger Was Early Resident of Klamath Falls

A telegram received last night by Frank Ward, notified him of the death at Oakland, California, of O. H. Harshbarger, broker, pioneer implement dealer of Klamath Falls. The decedent married a daughter of Mrs. J. T. Henley of the Henley district. His widow and two children survive him.

Harshbarger resided here for about ten years, leaving about 1899. During his residence he was actively identified with the early building of the city, and will be remembered by old residents.

### GENOA BREAK LOOMS

#### France Threatens to Withdraw Unless Agreement Maintained

PARIS, LE DUC, April 24.—Premier Poincare announced in a speech today that if the French delegation at Genoa could not go ahead with its work under the agreed conditions, France would regretfully have to cease participation in the conference.

In discussing reparations, Poincare said France will, if necessary, undertake alone to see that the Versailles treaty is executed if the Germans default in reparations payments. The premier said May 30 reparations commission or default in payment, is important date for France.

## County Court Makes Reply To K. D. Company Statement

Charging that offensive statements were made in the statement issued Friday by W. B. Parker of the Klamath Development company, wherein title to block 10 was declared forfeited by the county, and charging that the conclusions drawn by Parker were unjustified, the county court today issued the following statement setting forth its views and contentions in the controversy:

W. B. Parker, claiming to act for the Klamath Development company, did under date of April 21, 1922, give to the public a communication directed to the County Court of Klamath County, but not delivered to the county court, whereby Mr. Parker takes upon himself to settle the court house controversy. The tone of the communication is offensive and statements made therein and conclusions drawn therefrom by Mr. Parker are unjustified by plain notoriety facts.

Mr. Parker's long preliminary statement as to how the Klamath Development company came to get into its present position and on which he bases all his subsequent large talk, insofar as it is the truth amounts to nothing.

Even the children in the primary schools know that the Klamath Development company effected a settlement with the county for a court house and used every means at its command to induce the county to accept it and the people did accept it and spent in absolute good faith \$150,000.00 of their hard earned money to improve that piece of land so offered by the Klamath Development company.

Moreover, Mr. Parker knows and the Klamath Development company knows that since 1918 all operations of every kind on the Hot Springs court house building have been forbidden by injunctions directed against the County Court of Klamath County, restraining it from doing any work on said court house building.

Mr. Parker probably doesn't know that those injunctions operate to extend the time of any agreement that might exist between the Klamath Development company and Klamath County, if the county needs any such extension; and it does not, as appears from the following escrow agreement, which is the only agreement now existing between the Klamath Development company and the County Court of Klamath County.

San Francisco, May 13, 1913. First Trust and Savings Bank, Klamath Falls, Oregon.

We hand you herewith a deed executed by The Klamath Development Co., on the 13th day of May, 1913, conveying to Klamath County the title to Block Ten in Hot Springs Addition to the City of Klamath Falls.

This is the land on which Klamath County is now erecting a Court House. It is our purpose that this deed shall become effective when the following three conditions have been fully complied with:

1. When the Court House now under construction has been completed and accepted by Klamath County.

2. When the Court House grounds, including all of Block Ten have been improved by the grading of the grounds, and the construction of sidewalks, street parking, and curbs.

3. When the seat of government of Klamath County is moved and permanently located in the New Court House on said Block Ten.

You are hereby directed to keep this deed in your custody until such time as the above conditions have been fully complied with. At that time you will deliver it to the County Commissioners of Klamath County through the County Judge.

Yours respectfully,  
The Klamath Development Co.,  
By S. O. JOHNSON,  
President.

Klamath Falls, Oregon,  
March 13, 1922.

I hereby certify that the foregoing is a true and correct copy of one certain escrow agreement entered into by and between the Klamath Development company and Klamath county, now on file in the First State and Savings Bank of Klamath Falls, Oregon.

(Sd) C. E. WAILES,  
Deputy Superintendent in charge of the affairs of the First State and Savings Bank, Klamath Falls, Oregon.

Proceeding. Mr. Parker howls through a full page over the awful conditions of Klamath County, the non-payment of taxes and the long train of evils arising therefrom and seeks to lay the responsibility on this Court, all by reason of the fact that it did, in the exercise of sound judgment and upon the strong recommendation of the grand jury of Klamath county, levy \$15,000.00 for the purpose of finishing a jail which is a necessity at this time.

Who is responsible for this condition? The County Court of Klamath County during all this Court House controversy has instituted only one suit and that for the recovery of \$41,000.00 taken unlawfully and

## BERGDOLL WILL REMAIN BEHIND PRISON'S BARS

### Habeas Corpus Writ Denied Convicted Draft Evader by Supreme Court

WASHINGTON, D. C., April 24.—The supreme court today denied the application of Edwin R. Bergdoll for a writ of habeas corpus. Erwin, a brother of Grover Cleveland Bergdoll, draft evader, is now serving four years in Leavenworth for failure to perform military service during the war. He contended he was illegally convicted.

WASHINGTON, D. C., April 24.—Justice Bailey, in the supreme court of the District of Columbia, today ruled that the alien property custodian cannot be required to surrender the property of Grover Cleveland Bergdoll, valued at \$750,000, if the government proves Bergdoll has been convicted of desertion and is a fugitive from justice.

### RECALL NAMES CUT

#### Many Irregularities Found in Petitions by Secretary of State

SALEM, April 24.—Because they were found improper owing to lack of initials or for other similar reasons, several hundred signatures attached to the recall petitions deposited with the secretary of the state recently against Fred A. Williams and Fred G. Buchtel, members of the public service commission, have been rejected by Secretary of State Kozier.

On the Williams recall petitions a total of 43,913 names were attached. The secretary of state threw out 452 and accepted 42,461. This leaves the number still sufficient, as in Williams' case 41,433 names are required.

On the Buchtel petitions the secretary received a total of 31,913, rejected 340 and accepted 31,573. A total of 32,794 is necessary for Buchtel. The petitioners, declare they have other names to add.

No recall petitions against Commissioner H. H. Corey have been deposited here. They would require 8,645 names.

The number of names required is 25 per cent of the greatest number of votes cast for justice of the supreme court at the general election of November 2, 1920, which was a total of 165,752 for the state at large, represented by Williams, and 131,175 for the western Oregon district, represented by Buchtel.

The petitions must be filed on April 25.

### 24 WORKERS ARRIVE

#### Strikers Declare Men Were Brought In by Operators

Twenty-four men and one woman, intending to go to work in local box factories, arrived on the train Sunday night. Twenty left the train at Chelsea and later came on to this city, where they attended a meeting of strikers.

The workers were imported from Chico, where they were met by a representative of the operators, the strikers claim. Strikers quoted the new company as saying they had no knowledge of the strike conditions here and declared that the men would not accept employment.

With the exception of a man and his wife, all were young men.

### BACKS CAR THROUGH WINDOW

Failure of brakes to hold caused J. H. Carnahan Sunday noon to back his automobile through the plate glass window of the Electric shop, 126 South Sixth street. The window was valued at \$80, and was fully insured.

### ROBBERS BLOW SAFE OF STAGE COMPANY IN PORTLAND; GET \$1,000

PORTLAND, April 24.—Robbers this morning blew the safe of the Columbia River Stage company in the Oregon Auto Stage Terminal office, getting about \$1,000. The police believe the job was done by the same robbers who blew the Pantages theatre safe week ago.

### WOMEN OF CITY TO BECOME INTERESTED IN ATHLETIC WORK

#### Auxiliary to K. A. A. A. Is Formed at Meeting Saturday; Juniors Department Also Planned

Organization of a women's auxiliary of the Klamath Amateur Athletic association resulted at a meeting Saturday night in the chamber of commerce of the board of directors of the association. Temporary officers were elected as follows: Ida B. Momyer, president; Lottie Fisher, vice president; Marie Obenchain, secretary-treasurer. The organization will be completed at a meeting on Tuesday evening.

This feature of the association developed through an insistent demand by a number of the women of the city for athletic facilities. Dr. W. A. Leonard assisted in the organization and will conduct classes until a leader is developed who can assume instruction work. A special membership fee of \$5 per annum, payable semi-annually, for women was voted by the board.

Organization of a junior department was also planned with a membership of \$1 per annum for high school students, and \$5 per annum for non-student members between the ages of 12 and 16.

Dr. Leonard was given authority to organize an athletic meet to be held about May 15. Exhibitions by the auxiliary and junior departments will be features of the evening.

The house committee was instructed to organize a schedule which would permit the various departments exclusive use of the gymnasium on certain afternoons and evenings.

Burke Mason, president; Frank Z. Howard, vice president, and W. C. Van Emon, secretary, volunteered to complete erection of the hand ball court.

### PILGRIMAGE OF IRISH

#### Party Will Leave New York for Old Country on July 15

INDIANAPOLIS, Ind., April 24.—Plans for the pilgrimage to Ireland of many Americans of Irish extraction, are about completed and call for the party sailing from New York July 15, on the liner "Cedric" according to an announcement by Jas. E. Deery, of Indianapolis. Deery is national president of the Ancient Order of Hibernians, under whose auspices the trip will be made.

The Hibernian pilgrimage will be landed at Queenstown on July 22. According to word received here, a great demonstration of welcome has been arranged for the travelers both at Cork and Queenstown. While the trip is being arranged for by the Hibernians, Deery said today that anyone desiring to participate may do so by communicating with National Hibernian headquarters.

### SAYS STRIKE BROKEN

#### Five Hundred Men Reported Working in West Lumber Co. Plants

"The strike here is broken." This was the telephone message received here today from J. M. White, manager of the West Lumber company. White said 500 men were working in all the plants, not including salaried men and 200 men in the logging camps. This represents over half of the number employed when the strike occurred, when 800 men were working in the various departments. He reported that three bands are running in the mill and that a fourth will be added within a day or two.

"Pickets were withdrawn, and we contemplate no further trouble," White said.

## MASKED RAIDER SHOT TO DEATH BY POLICEMEN

### Two Others Wounded; Ku Klux Klan Leaders Will Be Made to Testify

LOS ANGELES, April 24.—An inquest over the body of M. E. Mosher of Englewood, shot and killed Saturday night when police attempted to halt a raid by masked men on an Ingewood home, will be held in Ingewood tomorrow. The district attorney announced that William I. Coburn, grand goblin of the Ku Klux Klan, and W. G. Price, king kiegale, would be summoned to testify.

The district attorney said that in his opinion the shooting of Mosher and wounding of two other men was justified.

A further development was the statement by a member of a negro colony here that members of his race had designated groups for defense, and were arming to prevent mob aggression.

### This Is Animal Week

#### Mike Tells of His Life

KANSAS CITY, Mo., April 24.—"This is my week," says Mike. These, at least, are the words attributed to him by H. H. Jacobs of Kansas City, Kans., his interpreter for Mike is a dog. The faithful fellow who was rescued after undergoing torture, cannot ordinarily muster the words of humans to plead the cause of his kind, but H. H. Jacobs, a humane worker, has selected him as a worthy spokesman of all animals.

What the interpreter imagines the dog Mike would say about his kind is animals week, April 24-30, set annually and about the relations of man and beast, and the importance to beasts of the relations of man to man, follows:

"This is my week Mike and my brothers. The brothers that live as I do about your homes and the brothers that live in the woods and the mountains. This week is for them all."

"Have you ever realized how very near we live to you? Can you think of anything you do that does not in some way touch us? The war, business, depression, changes of season, the fashions, sickness and death, oh, your quarrels and your divorces, they break loose our moorings."

"This week is my week, mine and my brothers', and although we ask you this week to leave the hurting out."

"We want you to be happy this week. Happiness makes food plenty and beds soft and cold nights warm. For happiness is kind."

"Angels in heaven have looked down and seen us in traps, seen us hunted and driven, seen us slaughtered by low and terrible methods, seen us entertaining you by our death agony and our terror. Seen us homeless and starving."

### GOVERNOR SMALL ON TRIAL

WAUKEGAN, Ill., April 24.—Governor Len Small went on trial here today charged with conspiracy to embezzle state funds while state treasurer.

### WEATHER PROBABILITIES

The barometric conditions remain the same as during last week and although the Cyclone Stormograph at Underwoods Pharmacy shows that the pressure is falling slightly this afternoon a continuation of pleasant weather is indicated.

Forecast for next 24 hours:—Fair, with variable winds. The Tycos recording thermometer registered maximum and minimum temperatures, today, as follows:—High ..... 85 Low ..... 55